

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) Criminal No. 04-10053-RCL
)
)
VICTOR ARROYO ET AL)

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(C), the parties are hereby jointly filing the following Status Report prepared in connection with the Interim Status Conference scheduled for June 30, 2004.

1. Outstanding Discovery Issues

There are presently no outstanding discovery motions or issues. Defendant Rivera has advised the government that there are two videos that were not included in the government's prior production and that one video was incomplete. The government has agreed to produce those videos promptly.

2. Additional Discovery

The government will provide expert discovery 21 days before trial. The defendants will provide expert discovery 7 days before trial. No other party presently anticipates producing or requesting any other additional discovery.

3. Insanity/ Public Authority Defenses

The defendants do not presently intend to raise a defense of insanity or public authority.

4. Notice of Alibi

The government requested a Notice of Alibi in its Automatic Discovery Letter to all defendants. No response has been received to that request as of this date.

5. Motions

The other defendants do not presently anticipate filing any motions to suppress, to sever or to dismiss prior to trial but are reserving their right to file other pretrial motions that could require a ruling by the District Court.

6. Scheduling

The parties are requesting that a Final Status Conference be scheduled for early September on a date convenient for the court to enable the defendants and the government further time to consider the possibility of pleas. The parties agree that the time between June 30, 2004 and the date of the Final Status Conference is excludable under the Speedy Trial Act.

7. Early Case Resolution

The parties will report to the court on the possibility of pleas at the Final Status Conference.

8. Speedy Trial Act Calculations

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and agree that the following periods are excludable:

2/24/04-3/29/04 Government's motion for detention

3/9/04-4/6/04	Order for exclusion entered 3/4/04
4/6/04-6/30/04	Order for exclusion entered 4/16/04
6/30/04- Final Status	Excluded at the request of all parties in the interest of justice as set forth above.

As of the Final Status Conference, 0 days will have been counted and 70 days will remain under the Speedy Trial Act.

9. Length of Trial

In the event that a trial is required, the parties estimate that it will last 7-10 days.

Respectfully submitted,

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